Efficacy of Rational Emotive Behaviour Therapy (REBT) with 'Child in Conflict with the Law' in Gujarat: An Intervention Study

Submitted by:

Bhavika Bhagyesh Lad

Research Scholar - Enrollment No: 202306020002

United School of Liberal Arts and Mass Communication, Karnavati School of Research

Karnavati University

Under the supervision of:

Dr. Sonam Mansukhani

Dean and Professor, Unitedworld School of Liberal Arts and Mass Communication

Submitted to:

KARNAVATI UNIVERSITY

Karnavati University, Gandhinagar

"It is easier to build strong children than to repair broken men." - Frederick Douglass

Introduction

India has seen a rise in criminal behavior among children. As per 'Crime in India 2021' published by the National Crime Record Bureau, India has seen an increase of 4.7% in cases registered against Children during 2021. The juvenile crime rate also depicts an increase from 6.7 in 2020 to 7.0 in 2021. State-wise analysis of crimes committed by children analysis indicates Gujarat is 6th highest (5.79%) in 'Juvenile Cognizable' crimes committed. The rate of crime by children in Gujarat is 8.6%. In 2021, the majority of children in conflict with the law apprehended under IPC and SLL crimes were boys in the age group of 16-18 years of age (76.2%). A deeper analysis of the NCRB data indicates, most of these crimes committed by boys were 'Heinous offenses' including murder, attempt to murder, rape, and attempt of rape along with substance use and abuse.

This kind of statistical data and the nature of crimes committed raise concern for both children's well-being and also societal functioning. With an increase in crime rate and the serious nature of crimes committed by children, it is imperative to focus on exploring causal factors behind children committing crimes along with probable effective solutions for their rehabilitation along preventing recidivism. In this context, it is imperative to understand the terms delinquency and crime. Delinquency and Crime are not the same. Not every juvenile delinquent act is considered to be a crime. APA defines delinquency as, "behavior violating social rules or conventions. The term is often used to denote the misbehavior of children or adolescents." To understand crime, Paul Tappan (1960) provided a simple definition "Crime is an intended act or violation of criminal law (statutory or case law), committed without defense or justification and sanctioned by the State as an offense or misdemeanour". Criminal behavior thus becomes any delinquent act that breaks or violates the law. Crime to be proven in a court of Law ne0eds two important components viz, Actus Rea and Mens Rea. *Actus rea refers to the guilty act or overt behavior that is manifested and which breaks the law and Mens Rea refers to the guilty mind or covert causal factor of that behavior manifestation.* Usually based on all the physical pieces of evidence, there exist minimal doubts about a 'guilty act', but it is the 'guilty mind' factor that plays a role while deciding appropriate punishment befitting criminal behavior. Forensic Psychology, Criminology, and Penology are some of the specializations focusing on this 'guilty mind' component of criminal behavior. Every behavior has a cause, *criminal behavior also has a cause which can either be physical pathology in the form of genetic inheritance or physical anomalies that may manifest owing to socio-economic or psychological factors.* Hans Eysenck was one of the earliest

psychologists to connect personality traits to explain causal factors behind criminal behavior. He stated that a person with a high score on Extraversion (E), Neuroticism (N), and Psychoticism (P) would be more prone to criminal behavior. In modern times, this forms the basis for understanding psychopathy and sociopathy. Thoughts, emotions, and behavior are interconnected, influence each other, and get influenced by each other. The decision to indulge in criminal behavior usually comes from the abnormal or deviant thought process of a person. (Rajeevan et al., 2022). C R Mukundan, a renowned neuropsychologist, and developer of the Brain Electrical Oscillations Signature (BEOS) profiling system for forensic applications, often says, that a drive exists, but it takes a fraction of a second from this drive to convert into intention and actions. Engrams (mental schemas or units of cognitive information imprinted in the brain) play a crucial role in the same. From this, it can be said that Crime occurs owing to the cognitive processing of signals from the real and virtual world when this cognitive processing is faulty, irrational, rigid, and inflexible. They can be called criminogenic thinking patterns. Criminogenic needs or domains are factors in an offender's life that are directly related to recidivism which refers to the tendency to re-offend (Tafrate & Hagan, 2018). Eight criminogenic risk factors or domains that have the strongest associations with criminal behavior and continued offending include (1) a history of antisocial behavior; (2) antisocial personality traits; (3) antisocial cognition; (4) antisocial associates; (5) family and/or marital strain; (6) problems at school and/or work; (7) problems with leisure and/or recreational time; and (8) substance use (Tafrate & Hagan, 2018). Assessing these domains and facilitating positive changes in any one of the domains helps a child rehabilitate better with chances lessening for repeat offending.

Legal Framework for Children in Conflict with the Law in India - Five arms of the Legal framework working towards rehabilitation, reformation, and re-integration of the child in conflict with Law in India include - Child Welfare Committee (CWC), Juvenile Justice Board (JJB), Child Care Institutions (CCI), District Child Protection Unit (DCPU), Special Juvenile Police Unit (SJPU).

Children are usually classified as 'child in need of protection and care' or 'child in conflict with law' within the Juvenile Justice Care and Protection Act (2019). A child in conflict with the Law (CCL) means a "child who is alleged or found to have committed an offense and who has not completed eighteen years of age on the date of commission of such offense." Offense refers to an 'offense or act punishable under the law for the time being in force'. The nature of these Offenses is as below:

'Offenses' as per JJC Act	IPC & CrPC criteria of 'Crime' (NCRB) (Indian Penal Code & Criminal Procedure Code)
Petty	Act or Offense that is non-cognizable, bailable, for which detainment or imprisonment is below 3 years
Serious	Act or Offense that is non-cognizable, non-bailable, for which detainment or imprisonment is between 3-7 years
Heinous	Act or Offense that is cognizable, non-bailable, for which imprisonment is a minimum of 7 years

Source: the Juvenile Justice (Care and Protection of Children) Act and the National Crime Record Bureau

Therefore, in the dynamic landscape of India's socio-cultural milieu, along with rapid urbanization, and technological advancements, the issue of criminal behavior among children has emerged as a complex and pressing concern. Criminalistic behavior among children is on the rise and there is a dire need to address the reasons or causal factors behind the same along with finding a long-term sustainable solution to curb the same and rehabilitate these children, as the Indian Juvenile Justice Act focuses on restorative and rehabilitative justice rather than punitive one.

Review of Literature

The triad of causal factors behind criminal behavior includes physical pathology in the form of genetic inheritance or physical anomalies, socio-economic factors in the form of depravity or exposure, and psychological factors including personality and cognitive reasons. The literature review was conducted with two broad components, one to explore psychological causal factors behind juvenile criminal behavior and another to study various strategies/interventions, or measures as probable solutions to curb the same or facilitate rehabilitation of children in conflict with the law and prevent recidivism.

Psychological (personality) causal factors as seen include -

Constant lying, lack of empathy, selfishness, thinking in black and white, blaming others, being irresponsible, being intolerant, and lacking self-control are just a few examples of abnormal mental processes in juvenile delinquents (Sinha 2016).

Adolescents prone to be delinquents are very low in academic achievement and there is a positive correlation between metacognitive awareness and academic achievement. Juvenile delinquents tend to have very poor metacognitive awareness along with being impulsive. Juvenile delinquents are Machiavellian and they give more importance to their

self-importance, manipulate, lie, deceive, exploit interpersonal relationships, and are goal-oriented rather than person-oriented (Rajeevan et.al., 2022; Jain, Tiwari & Awasthi, 2017). Psychopathic personality traits are significantly and positively related to current and future delinquent behavior. Manipulative personality traits and being impulsive along with being irresponsible are strong predictors of delinquent behavior. Marsee et al (2005) found that psychopathic traits are predictors of delinquency and aggression among boys and girls.

A criminal's personality possesses low self-esteem, low social esteem, anxiety, insecurity, impulsivity, and impatience. Calhoun, et al. (2000) described narcissism to be a predictor of juvenile violence and the ego of youth. Delinquent conduct is linked to neurotic symptoms such as restlessness, anger, absenteeism, theft, etc. Aggression, maladjustments, and antisocial conduct are characteristics of neurotic personalities. Among Big Five personality traits, low agreeableness, low conscientiousness, and high neuroticism were found to be closely correlated with violence by Lynam et al. (2005).

Juvenile criminal behaviour is said to have occurred owing to conduct disorder which is manifested as antisocial behavior in adolescence. Low conscientiousness in children is linked to externalizing activities (Prinzie et al., 2003), and longitudinal studies have linked childhood impulsivity to increased antisocial behaviors later in childhood and adolescence. (Caspi et al., 1999; Lynam et al., 2000; Moffitt & Caspi, 2001).

Neurotic, Psychopathic, and Machiavellian personality traits emerge as psychological personality causal factors behind criminal behavior in children.

In an experimental longitudinal study, Stott., D. H., and Wilson., D. M. found the background of sexual abuse, dysfunctional family, and negative life experiences tend to facilitate aggression and delinquency among juvenile offenders (Swanston et. al., 2003). when the parent-child relationship deteriorates by adolescence, the adolescent decision to abide by or break the law no longer gets affected by that relationship (Kushner., 1980).

Exposure to community violence and spectator or victim plays a mediating role in criminal behavior among children. Higher community violence exposure (CVE) leads to internalizing symptoms and externalizing behaviors among youth (Kim-Ju., et.al., 2018). In adolescents with conduct disorder, a stronger association existed between CVE, proactive aggression, and CD. CVE can make one use proactive aggression as the behavioral response (Kersten. et. al, 2017).

Intervention Based Studies -

The Quasi-experimental research study done at two rehabilitation schools in Kenya with participants aged 13-17 years found that REBT was effective in treating conduct disorder and

recommended REBT and Behavioural therapies to be part of the rehabilitation program for juvenile offenders (James & Omondi, 2021). The mindfulness-based intervention was found effective for incarcerated mixed-ethnic Hawaiian/Pacific Islander Youth aged 14-18 years at the Hawaii Youth Correctional Facility (HYCF). The intervention was delivered for a total of 30 hours. The study found significant differences in pre-intervention and post-intervention scores of biological assessments of cortisol and SIgA. Self-reported stress levels were found to decrease post-intervention. Qualitative analysis indicated that intervention themes of positive emotions, being mindful, and being self-aware helped youth feel connected to their culture, self-regulation, controlling impulsivity, and being self-aware as in being aware but not attached increased their ability to regulate emotions (Le. & Proulx. 2015). Patrick Clark (2010), a Social Science Analyst with the National Institute of Justice's Crime Control and Prevention Division (USA) wrote an article for the NIJ Journal suggesting the role of Cognitive Behavioural Therapies in the prevention of future criminal behavior and how CBT reduces recidivism both in adults and juveniles. Whiteford R., & Parr., V. (1995) explained the efficacy and uses of REBT with Juvenile Sex Offenders with their experience at the Center for Rational-Emotive Therapy and Professional Education (Tampa, Florida) where they used REBT continuously since 1985 as a core treatment tool with sex-offending clients recommending individual therapy along family intervention and training detention facility staff for same.

Research evidence suggests that psychological causal factors behind criminal behavior in children are associated with personality traits and cognitive distortions. So far, Forensic Cognitive Behavioral Therapies used as offender treatment tools seem to be most successful in preventing recidivism and rehabilitating offenders efficiently.

Research Problem/Objective:

The current study aims to explore psychological causal factors behind criminal behavior in children in conflict with the Law in Gujarat, especially focusing on the construct of psychopathy along with testing the efficacy of forensic cognitive therapy with the REBT framework in cognitive restructuring as an offender treatment tool in children in conflict in the Law in Gujarat. The researcher views Forensic Cognitive Behavioral Therapy - REBT can help assist the offender at four primary levels viz, (1)create insight and define the problem or cognitive distortion or irrational belief that led them into exhibiting behavior in conflict with Law or authority (2) identify criminogenic risk factors or domains that have the strongest associations with individual criminal behavior (3) select goals of cognitive restructuring and behavior modification (4) implementing these solutions facilitating

effective rehabilitation and prevent recidivism. Therapeutic intervention enables changing criminalistic thinking, thus modifying the behavior of a child and helping him prevent reoffending.

Need/Significance of the study:

Women and Children are now often exploited - used, abused, and misused in the new age criminal activity model; they are the face of terrorism across the World too. (Erez & Berko 2014). Juvenile criminal behavior is on the rise and cause of concern for children's well-being and societal functioning. As per 'Crime in India 2021' published by the National Crime Records Bureau, a 4.7 % increase was noted in cases registered against CCL from 2020 to 2021, the crime rate also increased from 6.7 in 2020 to 7.0 in 2021. State-wise analysis of crimes committed by children analysis indicates Gujarat is 6th highest (5.79%) in 'Juvenile Cognizable' crimes committed. The rate of crime by children in Gujarat is 8.6%. Such exploratory and intervention-based studies on children in conflict with the Law have not been undertaken in Gujarat. Therapeutic intervention-based study along with defining psychological -personality and cognitive causal factors among children in conflict with the Law in Gujarat, if found successful, can help children rehabilitate and prevent recidivism.

Objectives of the study:

The objective of the current research is to explore the construct of psychopathy in children in conflict with the law in Gujarat. The study aims to understand criminogenic thinking patterns in children in conflict with the law. The second objective is to test the efficacy of REBT in restructuring cognitive causal factors in children and facilitating the rehabilitation of 'children in conflict in Law' (CCL)

1. To explore CCL's perception of the world and psychological causal factors and criminogenic thinking patterns behind criminal behavior using the Rorschach Inkblot Test – Exner Comprehensive System.
2. To observe the presence or absence of psychopathic personality traits among CCL aged 16-18 years OR 12-16 years involved in serious/heinous offenses in the region of Gandhinagar and Ahmedabad, Gujarat
3. To analyze the relationship between the Socio-economic status (SESS) and psychopathic traits and criminal behavior among CCL in the region of Gandhinagar and Ahmedabad, Gujarat
4. To examine the efficacy or impact of therapeutic intervention (Forensic Cognitive Behavioral Therapy - REBT) given to CCL in terms of facilitating rehabilitation.

Research Methodology: *Mixed methods* of Quantitative and Qualitative Research design would be considered for the research. Data would be collected using surveys, semi-structured clinical interviews, and psychological assessments of objective and projective types. *Data would be analyzed using SPSS and NVIVO*

A *simple random probability sampling* method would be utilized. The sample size would be 30 children in conflict with law aged 16-18 years or 12-16 years, presented before the Juvenile Justice Board for Heinous offenses (cognizable and non-bailable) preferably apprehended and residing in any one child care institute (CCI – Observation home or Special fit homes) in Gujarat as approved by JJB or serious offenses (non-cognizable and non-bailable) and with similar living conditions or geographically available for counseling intervention. Exclusion criteria would be any child diagnosed with any physical disability, mental illness, or intellectual or developmental disability.

Informed Consent by the legal guardian or parent would be obtained *and Assent* from the participant.

Data would be collected using *FIR* filled by I/O when a child is apprehended, *Social Background report* (SRB-Form 1) filled by child welfare police officer before presenting to the Juvenile Justice Board (JJB), *Social Investigation Report* (SIR-Form 6) (if any) filled by Probation officer on order from JJB, *Individual care plan* or dispositional order form, if any. Prior psychological assessment reports, if any. FIR details, SRB, and SIR details will help identify the central 8 risk domain factors in a child's life, and this help in case formulation for REBT intervention.

<u>Scales or Psychological tests used are:-</u>

1. *The Socio-Economic Status Scale (SESS*) by Rajeev Lochan Bhardwaj (2005) will be used to understand the socioeconomic background of CCL and whether any correlation exists between Socioeconomic status and criminal behavior. The scale will be bought from Prasad Psycho Pvt. Ltd - https://prasadpsycho.com/product/socio-economic-status-scale-sess/
2. the *Youth Psychopathic Traits Inventory* (YPI) by Henrik Andershed et al. (2002) from CAPS - Center for Criminological and Psychosocial Research, Orebro University, Sweden will be administered and responses from the child will be obtained in session with the child individually. Andershed, H., Kerr, M, Stattin, H., & Levander, S. (2002). Youth Psychopathic Traits Inventory (YPI) https://doi.org/10.1037/t07576-000

3. *The Rorschach Inkblot Test* will be administered and responses from the child will be obtained in session with the child individually. It would be scored and interpreted using the Exner comprehensive system.

Data from above will be analyzed to understand the cognitive world of the child, that is his perceptions, and possible cognitive distortion which could be psychological causal factors behind criminal behavior manifested by the child. 12 individual sessions would be provided per participant for cognitive therapy intervention to address cognitive distortions and cognitive restructuring. Identifying criminogenic risk domains along with cognitive distortion and then facilitating cognitive restructuring or positive change in any one of them will be focused on in the intervention provided. Forensic Cognitive Behaviour Therapy with the REBT framework would be used as an intervention tool. ABCDE framework of REBT is proposed for the same.

'A' – Adversity / Activating Event / Trigger for behavior or disturbance manifestations. It is a subjective experience and its understanding by CCL that may have led to the behavior manifestation of committing an offense. Identifying 'Critical A' using 'inference chaining'

'B' – Belief System / Basic Attitude. In counseling sessions with CCL, explore if these are healthy/functional / Flexible / Non-extreme / Rational or non-healthy / dysfunctional/Rigid/Extreme/Irrational. Understanding Cognitive aspects, and thoughts underlying CCL behavior with the basis of introspective assessment reports and re-affirming same in counseling sessions. (Understanding 'shoulds' and 'musts' from CCL's perspective in context to 'Critical A')

'C' – Emotional and Behavioural consequences. (offense committed, and CCL emotional experience pre and post-offense). It will help in 'D' while creating awareness and insight in CCL that A does not lead to C, but B about A leads to C.

'D' – Disputation or Dialectical Examination of B. Cognitive tools like Socratic, Realistic, and Logical disputation would be preferred. Emotional or Behavioural homework tools like REI (Rational Emotive Imagery), role-playing, hedonic calculus, and Cost-Benefit Analysis can be considered too. Bringing IB and RB will be a mutually agreed goal while 'D'. (IB = Demand + at least presence of 1 derivative like FI, Awfulizing or GNE – Self, Others, Life, World)

'E' – Effective New Belief (RB) as the result of 'D'.

Methodology / Project Work Plan:

Research Project will be undertaken in four phases: Phase 1 - the preparatory phase, Sample selection; Phase 2 - The execution Phase including pre-intervention psychological

assessment, REBT intervention, and post-intervention psychological assessment; Phase 3 - Data analysis, and Phase 4- Thesis writing. It is currently assumed that research would take approximately 2 years or 24 months.

	M 1	M 2	M 3	M 4	M 5	M 6	M 7	M 8	M 9	M 10	M 11	M 12	M 13	M 14	M 15	M 16	M 17	M 18	M 19	M 20	M 21	M 22	M 23	M 24
Preparatory Phase																								
Finalising Research design, research objectives																								
Reading and finalising content on chapter 1 - Introduction																								
Advanced Literature review for chapter 2 - Review of Literature																								
Seeking approvals from various Government Authorities																								

	M 1	M 2	M 3	M 4	M 5	M 6	M 7	M 8	M 9	M 10	M 11	M 12	M 13	M 14	M 15	M 16	M 17	M 18	M 19	M 20	M 21	M 22	M 23	M 24
Execution Phase (Data Collection)																								
Finalising Sample selection inclusion and exclusion criteria (N=30)																								
FIR / Daily dairy entry data from I/O for sample selection																								
Social Background Report (Form 1) from Child Welfare Police Officer data of Sample																								
Social Investigation Report (Form 6) by Probation Officer of Sample																								
Individual Care Plan (Form 7) or Dispositional Order from JJB, if available																								
Meeting Legal guardian / Parent and getting 'Informed Consent or Ascent' form signed																								
Using the above documents (SIR, SRB) and discussion with parents, completing The Socio-Economic Status Scale (SESS) by R L Bhardwaj																								
Once all these above data collected, meeting children group session for rapport building																								

	M 1	M 2	M 3	M 4	M 5	M 6	M 7	M 8	M 9	M 10	M 11	M 12	M 13	M 14	M 15	M 16	M 17	M 18	M 19	M 20	M 21	M 22	M 23	M 24
Intervention Phase																								
Pre-Intervention Assessment - Youth Psychopathic Inventory																								
Rorschach Inkblot Test - Exner Comprehensive System																								
Scoring, analysis and Individual Introspective Report																								
REBT Intervention for 12 Individual sessions																								
Post Intervention Youth Psychopathic Inventory and RIT																								

	M 1	M 2	M 3	M 4	M 5	M 6	M 7	M 8	M 9	M 10	M 11	M 12	M 13	M 14	M 15	M 16	M 17	M 18	M 19	M 20	M 21	M 22	M 23	M 24
Data Analysis Phase																								
Data analysis using correlation, 't' test using SPSS or NVIVO																								
Thesis writing																								
Proof reading and finalising all chapters																								
Submitting 1st draft of Thesis																								
Review / Feedback from Faculty Guide and Editing Thesis																								
Final Submission of Thesis																								

Thesis Outline:

The final thesis will be documented in MS Word following the structure detailed below:	
Chapter No	**Chapter Title**
1	**Introduction**
2	**Review of Literature**
2.1	Theories of Crime
2.2	Forensic Cognitive Behavior Therapy and Rational Emotive Behaviour Therapy
2.3	Juvenile Justice Care and Protection Act, Amendment 2021
2.4	Juvenile Crime / Child in Conflict with the Law and India
2.5	Empirical Studies on Juvenile Criminal Behaviour
3	**Research Methodology**
3.1	Objectives / Hypothesis
3.2	Research Design and Sampling Technique
3.3	Tools used
3.4	Selection of Participants-Inclusion and Exclusion Criteria
3.5	Pre-Intervention Assessment, Intervention, and Post-Intervention Assessment details
4	**Data Analysis and Findings**
5	**Conclusion and Recommendations**
	References
	Appendices
	Informed Consent format
	Ascent form copy
	Youth Psychopathic Traits Inventory
	The Socio-Economic Status Scale (SESS)

Scope and Limitations of the Study:

a. Scope: The study seeks to explore and understand cognitive distortions as one of the causal factors behind criminal behavior among children in conflict with the Law in Gujarat. Cognitive distortions refer to exaggerated or irrational thought patterns that aren't quite processed correctly or are sometimes not based in reality, which could lead to criminogenic thinking patterns in children leading them to act criminally. The study aims to observe the presence or absence of Juvenile Psychopathy. The study will examine the efficacy of REBT as a cognitive behavior forensic intervention in the cognitive restructuring of children in conflict with the Law using analysis of pre-intervention and post-intervention assessment scores.

b. Limitations: Since it is an intervention-based study with children in conflict with the Law, one of the limitations can be obtaining permission from relevant government authorities. Also obtaining consent and assent from children to be participants in the study is another significant limitation. Hesitance or resistance on the part of children, availability of time duration the researcher may get with each child, and children choosing to drop out from therapeutic sessions or children released on bail and hence non-availability for sessions can pose another challenge.

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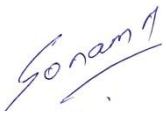

Signature of Scholar **Signature of Supervisor**